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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
v. : Criminal No. 09-31 (DMC)
HENRY LOPEZ : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Robert G. Marasco, Assistant U.S. Attorney, appearing) and defendant Henry Lopez (David A. Holman, Assistant Federal Public Defender, appearing) for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;

2. The defendant has consented to the aforementioned continuance;

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 31 day of December 2009,


IT IS ORDERED that this action be, and hereby is, continued for a period of 60 days; and it is further


ORDERED that the period from and including December 16, 2009, through and including February 16, 2010, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8); and it is further

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ORDERED that the calendar for this matter shall be revised as follows:

PRETRIAL MOTIONS BY: JAN. 12, 2010
OPPOSITION TO MOTIONS BY: JAN. 26, 2010
MOTIONS HEARING DATE: FEB. 9, 2010
TRIAL SET FOR: FEB. 23, 2010


HON. DENNIS M. CAVANAUGH
United States District Judge


David A. Holman, AFPD
Counsel for Henry Lopez